IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

**WRIT PETITION NO : 8961 of 2004**

Between:

1 Ushodya Municipal Public Health Ex Employees Families Welfare Association,
(Regd. No.145/98) rep.by its Manager Ch.Raja Krishna S/o Venkaiah, [aged 26 years]
R/o Narasaraopet
2 Navodaya Parisudhya Sangham (Regd.No.4/2004) Narasaraopet,
rep. by its Manager, M.Guru Krishna Vara Prasad, S/o M.Venkaiah, [aged 25]
3 Ongole Harijana Private Parisudhya Panivarala Sangham, Ongole, (Regd.No.25/2004)
rep.by its President, Anantharapu Veeraiah S/o Kotaiah ,aged 45 years,
Kothapatnam
4 Abhudaya Harijana Parisudhya Panivarala Sangham Guntur, (Regd.No.39/04)
rep.by President , Kornepati Achaiah S/o Pedda Yesu, aged 25 years,
Stambala Guntur , Guntur
5 The Harijana Labour Contract Co.Op. Society ,Kakani, Narasaraopet, (Regd.No.Z-723) rep.by its Manager, M.Venkataiah, S/o Kotaiah, aged 56 years,
Kakani
6 Karimnagar Harijana Girijana Private Sanitation workers Welfare Association(Regd.No.132/2004), rep.by its President , Jekkula Laxmaiah S/o Laxmaiah,
D.No.9-9-145, Ramnagar, Karimnagar

**..... PETITIONER(S)**

AND

1 Commissioner Municipal Corporation of Guntur

Guntur

2 The Municipal Engineer Municipal Corporation of Guntur
Guntur

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus , or any other appropriate writ, order or direction, declaring the action of the 1st respondent in not giving the tender schedules to the petitioners free of cost and without insisting on payment of EMD and in not considering the representations made by the petitioners on 06/05/2004 for allotment of reserved works in Zone Nos. 3 and 4 in the Short Tender Notice Called for by the 1st respondent in Roc.No.7107/01/F2 dt. 01/05/2004, which was published in Eenadu daily, Guntur Edition on 04/05/2004 as illegal, arbitrary and unconstitutional and consequently direct the respondents 1) to issue the tender schedules to the petitioners free of cost and without insisting on payment of EMD in respect of all the tenders, including the said tender notice issued by the 1st Respondent 2) and to consider the representations made by the petitioners on 06/05/2004 for allotment of reserved works along with other applicants in Zone No.3 and 4 of the said tender notice issued by the 1st respondent.

**Counsel for the Petitioner:MR.P.GOVIND REDDY ( Not present)**

**Counsel for the Respondent No.: MR.T.S.VENKATARAMANA ( Not present)**

**The Court made the following :**

ORDER:

Though the matter was called on 21.9.2004, there was no representation for the petitioner and accordingly the same was directed to be posted under the caption 'for dismissal' today. Even today, there is no representation on either side.

Gone through the material on record. The present writ petition is filed to issue tender schedules to the petitioners free of cost and without insisting on payment of E.M.D. in respect of all the tenders. The 1st respondent-Commissioner through orders in Roc No.7107/01/F2 dated 1.5.2004 issued short tender notice duly publishing in Eenadu Guntur District edition and subsequently issued corrected short tender notice, according to which the date for payment of the amount of the schedules along with the tender deposit was 17.5.2004 and 19.5.2004 respectively. In view of the same, the cause in the writ petition does not survive and the writ petition has become infructuous.

The writ petition is accordingly dismissed as infructuous. No costs.

28.9.2004

CVM

To,

1 Commissioner Municipal Corporation of Guntur
Guntur
2 The Municipal Engineer Municipal Corporation of Guntur
Guntur

3. 2 CD copies.